



08/03/01

Docket No. A-64411-2/RFT/RMS/RMK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

4/A A

Anticipated Classification of this Application:

Class: 435

Subclass: Unknown

Prior Application: 09/639,311

Examiner: To be assigned

Art Unit: 1656

"EXPRESS MAIL" MAILING LABEL

NUMBER EL 758643073 US

DATE OF DEPOSIT 8-3-01

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: BOX PATENT APPLICATION FEE, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME DARRYL KRINER

SIGNED

**BOX PATENT APPLICATION**

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

This is a request for filing an

☒ Continuation

application under 37 C.F.R. 1.53(b), in the name of

Thomas J. MEADE and Jon F. KAYYEM

(Names of ALL Applicants)

for METALLIC SOLID SUPPORTS MODIFIED WITH NUCLEIC ACIDS

(Title of Invention)

This ☒ continuation ☐ divisional ☐ continuation-in-part

claims priority to pending application Serial No. 09/639,311, filed on August 15, 2000 and Serial No. 08/808,750, filed on February 28, 1997 now U.S. Patent No. 6,265,155 and Serial No. 08/475,051, filed June 7, 1995, now U.S. Patent No. 5,824,473.

1. (a) ☐ Enclosed is a new application.
- (b) ☐ Enclosed is a continuation-in-part application.
- (c) ☒ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.
- (b) ☒ Enclosed is a copy of the prior Power of Attorney and Declaration as originally filed.
3. (a) ☐ Enclosed is a Small Entity Affidavit.
- (b) ☐ A Small Entity Affidavit is of record in the prior application.
4. ☐ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1)	(Col. 2)	SMALL ENTITY		OTHER THAN SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$355		\$710
TOTAL CLAIMS	___ - 20 =		× 9 =	\$	× 18 =	
INDEP CLAIMS	___ - 3 =	0	× 39 =	\$ 0	× 78 =	
MULTIPLE DEPENDENT CLAIM PRESENTED ___ YES			+130 =	\$	+260 =	
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL	\$	TOTAL	\$

11000 U.S. PTO  
09/921645  
08/03/01

5. ☐ The Commissioner is hereby authorized to charge any additional fee which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Our File No. A-64411-2/RFT/RMS/RMK).
6. ☐ Our check in the amount of \$710 is enclosed.
7. ☒ Cancel in this application original claims 2-14 of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
8. ☒ Amend the specification by inserting before the first line the sentence:

--This is a ☒ continuation ☐ divisional ☐ continuation-in-part

of application Serial No. 09/639,311 filed August 15, 2000 and Serial No. 08/808,750 filed February 28, 1997 now U.S. Patent 6,265,155 and Serial No. 08,475,051, filed June 7, 1995, now U.S. Patent No. 5,824,473.--

9. ☒ NO drawings are enclosed.
10. (a) ☒ Priority is claimed under 35 U.S.C. 119/120 of application Serial No. 09/639,311 filed August 15, 2000 and Serial No. 08/808,750, filed February 28, 1997 now U.S. Patent 6,265,155 and Serial No. 08/475,051, filed June 7, 1995, now U.S. Patent No. 5,824,473.
- (b) ☐ The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.
11. ☒ The prior application is assigned of record to California Institute of Technology
12. ☒ The power of attorney in the prior application is to:
- Name: Robin M. Silva
- Address: Flehr Hohbach Test Albritton & Herbert LLP  
Four Embarcadero Center - Suite 3400  
San Francisco, California 94111-4187
- (a) ☒ The power appears in the original papers in the prior application.
- (b) ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) ☐ A new power has been executed and is enclosed.
- (d) ☒ Address all future communications to:

Robin M. Silva, Esq.  
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
Four Embarcadero Center - Suite 3400  
San Francisco, California 94111-4187  
Tel.: (415) 781-1989  
Fax: (415) 398-3249

13. ☐ An Information Disclosure Statement and Statement of Relatedness is enclosed.
14. ☒ A Preliminary Amendment is enclosed. Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.
15. ☒ I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/639,311 as originally filed on August 15, 2000.

Date:

8/3/01

Signature:

Renee M. Kossak  
Renee M. Kossak, Reg No. 47,717 for  
Robin M. Silva, Reg. No. 38,304

Address of Signer:

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
4 Embarcadero Center - Suite 3400  
San Francisco, California 94111-4187  
Tel.: (415) 781-1989  
Fax: (415) 398-3249

☒ Attorney or agent of record

☐ Filed under Section 1.34(a)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-64411-1/RFT/RMS/RMK

"EXPRESS MAIL" MAILING LABEL

NUMBER EL 574 080 588 US

DATE OF DEPOSIT August 15, 2000

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TO ADDRESSEE" SERVICE UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED  
ABOVE AND IS ADDRESSED TO: BOX PATENT APPLICATION FEE,  
ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

TYPED NAME VINCE DIAZSIGNED Vince M. Diaz 8-15-00

Anticipated Classification of this Application:

Class: 435

Subclass: Unknown

Application: 08/808,750

Examiner: S. Houtteman

Art Unit: 1656

**BOX PATENT APPLICATION FEE**  
Assistant Commissioner for Patents  
Washington, DC 20231

**PRIOR APPLICATION**  
PTO Copy

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	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$345		\$690
TOTAL CLAIMS	43 - 20 =	23	× 9 =	\$207	× 18 =	
INDEP CLAIMS	2 - 3 =	0	× 39 =	\$ 0	× 78 =	
MULTIPLE DEPENDENT CLAIM PRESENTED <u>X</u> YES			+130 =	\$130	+260 =	
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL	\$682	TOTAL	\$

5. ☒ The Commissioner is hereby authorized to charge any additional fee which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Our File No. A-64411-1/RFT/RMS/RMK).
6. ☒ Our check in the amount of \$682.00 is enclosed.
7. ☒ Cancel in this application original claims 2-14 of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
8. ☒ Amend the specification by inserting before the first line the sentence:  
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Date:

3/15/97

Signature:

Robin M. Silva

Robin M. Silva  
Reg. No. 38,304

Address of Signer:

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP  
4 Embarcadero Center - Suite 3400  
San Francisco, California 94111-4187  
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